

REMARKS

Claims 1-8 and 11-12 remain in the application. Claims 9 and 10 have been cancelled. Claims 1, 2, 7 and 8 have been amended. Claims 1 and 7 are in independent form.

With regard to the Applicant's claim for foreign priority, the Examiner has pointed out that a certified copy of the foreign application has not been filed as required by 35 U.S.C. §119. In response, Applicant has submitted herewith the certified copy of the above-mentioned foreign application.

The Examiner has rejected claims 1, 7 and 9-10 under 35 U.S.C. §102(b) as being anticipated by United States Patent 5,074,428 to Wildfeuer ("the '428 reference"). Applicant respectfully traverses this rejection.

The '428 reference discloses a lid 1 having outer 4 and inner 5 rims extending around a barrel neck 3. The outer 4 and inner 5 rims form an annular chamber 7, and an annular web 8 is disposed inside the chamber 8. Two sealing rings 13 are disposed inside the chamber 7 and are connected by a thin connecting web 17.

Claims 1 and 7 of the above-captioned application has been amended to clarify the invention. More specifically, claims 1 and 7, as amended, each claim "a sealing gap formed between said first sealing surface and the part of said second sealing surface extending between said spaced apart radial grooves for limiting the contact surface area of fuel vapors with said second sealing ring and thereby increase the permeation resistance of said sealing engagement between said lid and said opening."

The '428 reference does not disclose a sealing gap formed between the first sealing surface and the part of the second sealing surface extending between the spaced apart radial grooves for limiting the contact surface area of fuel vapors with the second sealing ring. The Examiner contends

that, in the '428 reference, the area just underneath the web 8 functions as the sealing gap. The '428 reference calls out, however, this area as being joined, and thereby closed off, by a thin connecting web 17 in Figures 5 and 12. The presence of this connecting web 17 contradicts the Examiner's contention that a gap is formed between the first sealing surface and a part of the second sealing surface, as is required in each of amended claims 1 and 7 of the above-captioned application. Further, such a sealing gap is not described in the specification of the '428 reference.

Therefore, Applicant respectfully requests that the rejection of claims 1, 7, and 9-10 under 35 U.S.C. §102(b) as being anticipated by the '428 reference be withdrawn.

The Examiner has also rejected claims 1, 7 and 10 under 35 U.S.C. §102(b) as being anticipated by United States Patent 3,343,707 to De Pew ("the '707 reference"). Applicant respectfully traverses this rejection.

The '707 reference discloses a cap assembly including a closure plate 10. A resilient ring 30 is received in a recess 31, which is right angular in cross-section. The ring 30 is held in firm engagement with an upper annular wall of the recess 31 by a ring 34, which is seated within a recess 36.

As mentioned above, claims 1 and 7 have been amended to clarify the invention. More specifically, claims 1 and 7, as amended, each claim "a sealing gap formed between said first sealing surface and the part of said second sealing surface extending between said spaced apart radial grooves for limiting the contact surface area of fuel vapors with said second sealing ring and thereby increase the permeation resistance of said sealing engagement between said lid and said opening."

The '707 reference does not disclose a sealing gap formed between a first sealing surface and the part of a second sealing surface extending between spaced apart radial grooves. In the '707 reference, what the Examiner alleges to be the sealing gap formed between a first sealing

surface and a second sealing surface is actually a gap formed between the resilient ring 30 and the ring 34. The alleged gap is not, in fact, formed between the first and second sealing surfaces, as is required by amended claims 1 and 7 of the above-captioned application.

Therefore, Applicant respectfully requests that the rejection of claims 1, 7, and 9-10 under 35 U.S.C. §102(b) as being anticipated by the '428 reference be withdrawn.

Finally, the Examiner has rejected claims 2-6, 8-9 and 11-12 under 35 U.S.C. §103(a) as being unpatentable over the '707 reference (De Pew et al.) in view of United States Patent 1,459,903 to Behringer ("the '903 reference"). Applicant respectfully traverses this rejection.

As mentioned above, the '707 reference discloses a cap assembly including a closure plate 10. A resilient ring 30 is received in a recess 31, which is right angular in cross-section. The ring 30 is held in firm engagement with an upper annular wall of the recess 31 by a ring 34, which is seated within a recess 36. The '903 reference discloses a wall 1 having an opening line with an annular beading 1a. A bung ring 3 includes a threaded plug receiving flange 3 terminating in a bung hole reinforcing beading 3a seated beneath the beading 1a.

Applicant has amended claim 1 to specify that the fuel tank assembly includes a sealing gap formed between said first sealing surface and the part of said second sealing surface extending between said spaced apart radial grooves for limiting the contact surface area of fuel vapors with said second sealing ring and thereby increase the permeation resistance of said sealing engagement between said lid and said opening. Claim 2 of the above-captioned application has been amended to depend from claim 1 and claims the limitation of the reinforcement member being secured to the wall and surrounding the opening for supporting the lip against the sealing forces from the lid closed against the opening.

Applicant has also amended claim 7 to specify that the fuel tank assembly includes a sealing gap formed between the first sealing surface and the part of the second sealing surface

extending between the spaced apart radial grooves for limiting the contact surface area of fuel vapors with the second sealing ring and thereby increase the permeation resistance of the sealing engagement between the lid and the opening. Claim 8 of the above-captioned application has been amended to depend from amended claim 7 and claims the limitation of the reinforcement member having a rectangular profile with the vertical surfaces connected to the wall and the sealing surface including the grooves for receiving the sealing rings.

Applicants respectfully suggest that the combination of the '707 and '903 references would not result in a disclosure of the invention as set forth in amended claims 2 and 8 of the above-captioned application. Further, there is no teaching, suggestion, or incentive in either of the '707 reference or the '903 reference for one skilled in the art to combine both of these disclosures. Thus, Applicant respectfully submits that amended claims 2 and 8, as well as the claims depending therefrom, overcome the rejection and are allowable over the cited references

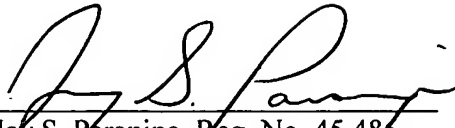
Therefore, Applicants respectfully request that the rejection under 35 U.S.C. §103(a) of claims 2-6, 8-9, and 11-12 as being unpatentable over the '707 reference in view of the '903 reference be withdrawn.

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-1759. A duplicate of this form is attached.

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Amdt dated June 7, 2004
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay S. Paranjpe", written over a horizontal line.

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extending between the spaced apart radial grooves for limiting the contact surface area of fuel vapors with the second sealing ring and thereby increase the permeation resistance of the sealing engagement between the lid and the opening. Claim 8 of the above-captioned application has been amended to depend from amended claim 7 and claims the limitation of the reinforcement member having a rectangular profile with the vertical surfaces connected to the wall and the sealing surface including the grooves for receiving the sealing rings.

Applicants respectfully suggest that the combination of the '707 and '903 references would not result in a disclosure of the invention as set forth in amended claims 2 and 8 of the above-captioned application. Further, there is no teaching, suggestion, or incentive in either of the '707 reference or the '903 reference for one skilled in the art to combine both of these disclosures. Thus, Applicant respectfully submits that amended claims 2 and 8, as well as the claims depending therefrom, overcome the rejection and are allowable over the cited references

Therefore, Applicants respectfully request that the rejection under 35 U.S.C. §103(a) of claims 2-6, 8-9, and 11-12 as being unpatentable over the '707 reference in view of the '903 reference be withdrawn.

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